

**BOARD OF TRUSTEES  
INC. VILLAGE OF SANDS POINT  
TUESDAY, JUNE 18, 2019**

Present:	Edward A.K. Adler	Mayor
	Katharine M. Ullman	Trustee
	Lynn R. Najman	Deputy Mayor
	Peter A. Forman	Trustee
	Daniel Scheyer	Water Commissioner
	Liz Gaynor	Village Clerk
	Michael Sahn, Esq.	Village Attorney
	John Christopher, Esq.	Village Attorney

At 9:10 p.m. the Board reviewed the **Canvass of Votes** taken at the General Village Election held on this date and recorded by the Inspectors of Election.

Mayor Adler read the following results:

**FOR MAYOR:**

Edward A.K. Adler	85
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**FOR TRUSTEES:**

Katharine M. Ullman	86
Marc Silbert (posthumously)	79

A copy of the Canvass of Votes is appended hereto and made a part of the minutes.

Mayor Adler opened the Regular Meeting of the Board at 9:15 p.m. **followed by a minute of silence in the memory of Trustee Marc Silbert.** Trustee Silbert passed away on June 9<sup>th</sup> and served on the Board since 2001.

The **Minutes** of the meeting held on May 28, 2019 were reviewed. On motion by Trustee Ullman, seconded by Deputy Mayor Najman and carried unanimously, the minutes were approved.

The Board received the **Water Commissioner's Report** which is appended hereto and made a part of the minutes.

Water Commissioner Scheyer announced that water pumpage during May of 2019 was 53,039,200 gallons pumped versus 33,492,000 gallons during May 2018.

The **Treasurer's Report** showing cash balances as of May 31, 2019 was reviewed (copy attached). On motion by Trustee Forman, seconded by Trustee Najman and carried unanimously, the Treasurer's Report was accepted and filed.

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Claims as presented on **Abstracts 1A & 1B** for payment in June were reviewed. On motion of Deputy Mayor Najman, seconded by Trustee Forman and carried unanimously, the claims as contained on **Abstracts 1A & 1B** were approved for payment. Abstract of Claims is appended hereto and made a part of the minutes.

The Board received **Recommendations of the Building Commissioner** as to Granting of Building Permit Extensions that are appended hereto and made a part of the minutes. On motion of Deputy Mayor Najman, seconded by Trustee Forman and carried unanimously, the Building Commissioner's recommendations were adopted.

The Board received the **Building Department Report of Activity** for the month of May 2019 which showed:

Building Permits issued – 8  
Building Permit Applications filed – 10  
Extensions of Building Permits Granted – 35  
Tree Removal of Applications Received –16  
Certificates of Occupancy Issued – 12

The Board received the **Justice Court Report** for the month of May 2019 which showed:

Arraignments – 48  
Trials - 0  
Total Amount Collected- \$2,464.00

Mayor Adler placed on the table for consideration a **request from the Manhasset Bay Protection Committee (MBPC) for the Village's annual membership dues for 2019**, a copy of which is appended hereto and made a part of the minutes.

Whereupon, Trustee Ullman proposed the following Resolution and moved its adoption:

**RESOLUTION 06182019-01  
ANNUAL MEMBERSHIP DUES 2019  
MANHASSET BAY PROTECTION COMMITTEE**

WHEREAS, the Village has been a member of the Manhasset Bay Protection Committee for several years; and

WHEREAS, the Committee has been very active in providing information to the member Villages on the Bay; and

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WHEREAS, MBPC Executive Director Sarah Deonarine noted in her memorandum dated April 8, 2019 that the dues are to remain the same as the previous year,

NOW, THEREFORE, BE IT RESOLVED that the **Board of Trustees authorizes continual membership in the Manhasset Bay Protection Committee; and**

BE IT FURTHER RESOLVED that the **Board of Trustees authorizes the payment of \$1,500.00 to cover the Village's annual dues for 2019.**

The motion was seconded by Deputy Mayor Najman. On roll call:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 06182019-01 was duly adopted.

Mayor Adler placed on the table for consideration a **request from the Hempstead Harbor Protection Committee for the Village's annual membership dues**, a copy of which is appended hereto and made a part of the minutes.

Whereupon, Trustee Ullman proposed the following Resolution and moved its adoption:

**RESOLUTION 06182019-02  
ANNUAL MEMBERSHIP DUES  
HEMPSTEAD HARBOR PROTECTION COMMITTEE**

WHEREAS, the Village has been a member of the Hempstead Harbor Protection Committee for several years; and

WHEREAS, the Committee has been very active in providing information to the member Villages on the Bay; and

WHEREAS, this year the Committee will continue to provide the member Villages with information and credit pertaining to the federally mandated EPA Phase II Storm Water Regulations;

NOW, THEREFORE, BE IT RESOLVED that the **Board of Trustees authorizes continued membership in the Hempstead Harbor Protection Committee; and**

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**BE IT FURTHER RESOLVED that the Board of Trustees authorizes the payment of \$5,445.00 cover the Village's 2019 Annual Dues.**

The motion was seconded by Deputy Mayor Najman. On roll call:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 06182019-02 was duly adopted.

The Board discussed errors in the preparation of the Village's Tax Roll for the 2019-2020 Village tax year resulting in an unlawful entry, as defined by Section 550(7)(a) of the New York Real Property Tax Law, on a particular parcel within the Village

Whereupon, Deputy Mayor Najman proposed the following Resolution and moved its adoption:

**RESOLUTION 06182019-03  
AUTHORIZING THE CORRECTION OF AN ERROR  
IN THE VILLAGE'S TAX ROLL FOR THE 2019/2020  
VILLAGE TAX YEAR TO CORRECT AN UNLAWFUL ENTRY  
ON THE REAL PROPERTY LOCATED AT  
11 SYCAMORE DRIVE, SANDS POINT, NEW YORK,  
ALSO KNOWN AS SECTION 4 BLOCK C LOT 551  
ON THE NASSAU COUNTY LAND AND TAX MAP**

WHEREAS, under Sections 550 and 554 of the Real Property Tax Law, the Village of Sands Point (the "Village") may approve a resolution authorizing the Village's Board of Trustees, in its capacity as Board of Assessors, to correct an unlawful entry on the Village tax roll; and

WHEREAS, for the 2019-2020 tax year, the real property located at 11 Sycamore Drive, Sands Point, New York, also known as Section 4 Block C Lot 551 on the Nassau County Land and Tax Map (the "Property"), was assessed to have an Assessed Value of \$644; and

WHEREAS, the Board of Trustees, in its capacity as Board of Assessors for the Village, has obtained proof that the Property should have been granted an EV – veterans tax exemption in the amount of \$644 for the 2019-2020 tax year; and

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WHEREAS, it is necessary and in the best interests of the owners of property within the Village for the Village to correct the unlawful entry in the Village's Tax Roll, in order to issue proper and correct tax bills for the 2019/2020 Village Tax Year; and

WHEREAS, it is also necessary to amend and revise Resolution 05172019-06, adopted by the Board on May 17, 2019 relating to the tax rate for the next fiscal year based on the assessed valuation of all property within the Village of Sands Point;

NOW THEREFORE, BE IT RESOLVED, THAT: the Board of Trustees, in its capacity as Board of Assessors for the Village, be and hereby are authorized and directed to act upon the unlawful entry on the Property and authorizes the following actions:

1. The correction of the unlawful entry in the Village's tax roll for the 2019/2020 Village Tax Year for the Property.
2. The correction of Resolution 02262019-02 with respect to assessment grievances to provide as follows:

Total Assessed Value of Property within Sands Point:	\$1,121,971.00
Less Total Value of Totally Exempt Properties:	\$147,994.00
Less Exemptions Granted to Veterans:	\$6,191.00
Total Taxable Value:	\$967,786.00

3. The correction of Resolution 03262019-02 to provide that the total taxable value of all properties on the final assessment roll for the 2019/2020 Village tax year is \$967,786; and

BE IT FURTHER RESOLVED, that the Village Clerk and the Village Treasurer shall take such further actions and prepare such documentation and certifications as required to effectuate the terms and provisions of this Resolution.

The motion was seconded by Trustee Ullman. On roll call:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 06182019-03 was duly adopted.

Mayor Adler placed on the table for consideration a request to **renew the Village's Workers Compensation Coverage.**

Whereupon, Trustee Forman proposed the following Resolution and moved its adoption:

**RESOLUTION 06182019-04  
RENEWAL OF WORKERS COMPENSATION COVERAGE  
with THE STATE INSURANCE FUND  
EFFECTIVE JULY 1, 2019 to JUNE 30, 2020**

WHEREAS, to provide security to employees injured on the job and to comply with the Workers Compensation Law that states that all employers are required to insure their employees against on-the-job accidents, regardless of responsibility or fault; and

WHEREAS, the Village's Workers Compensation Coverage is now due for renewal; and

WHEREAS, Nicole Morton of Salerno Brokerage Corp., the Village's insurance broker reviewed the programs available for Public Entities and has made recommendation to renew with State Insurance Fund, a copy of her recommendation is appended hereto and made a part of the minutes; and

WHEREAS, the Board has reviewed the recommendation and finds it acceptable,

NOW, THEREFORE, BE IT RESOLVED, that the renewal of the Village's Workers Compensation Coverage will be with State Insurance Fund for a total cost of \$165,554.00 effective July 1, 2019 through June 30, 2020.

The motion was seconded by Deputy Mayor Najman. On roll call:

Mayor Edward A. K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 06182019-04 was duly adopted.

Mayor Adler placed on the table for consideration a **Resolution to provide actuarial services related to GASB 75 for The Village of Sands Point.**

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Whereupon, Trustee Forman proposed the following Resolution and moved its adoption:

**RESOLUTION 06182019-05  
ACTUARIAL SERVICES FOR  
GASB 75 COMPLIANCE  
DANZIGER & MARKHOFF LLP  
EMPLOYEE BENEFIT SOLUTIONS**

WHEREAS, by Resolution 05282019-17 the Board authorized Village Clerk Liz Gaynor to request proposals to provide actuarial service for GASB 75 compliance; and

WHEREAS, Village Clerk Gaynor requested and received three proposals, which are appended hereto and made a part of the minutes; and

WHEREAS, Village Clerk Gaynor is recommending acceptance of the proposal submitted by Danziger & Markhoff LLP, and

WHEREAS, this firm has provided these services to the Village from 2016 through FYE 2018 and has been found to be reliable and reasonable; and

WHEREAS, the Board has reviewed the proposal and finds it acceptable;

NOW, THEREFORE, BE IT RESOLVED, that the firm of **Danziger & Hoffman LLP, 123 Main Street, White Plains, New York 10601 be and hereby is engaged in accordance with their proposal dated May 29, 2019 in an amount not to exceed \$2,850.00 for a full GASB 75 valuation FYE 2019 and \$1,250.00 for a mid-cycle GASB 75 work for FYE 2020 with an option to renew for a full GASB 75 valuation for FYE 2021 and for a mid-cycle GASB 75 work for FYE 2022; and be it**

FURTHER RESOLVED, that the Board authorizes the Mayor to execute a written agreement between Danziger & Markhoff LLP and the Village of Sands Point.

The motion was seconded by Trustee Ullman. On roll call:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Lynn Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 06182019-05 was duly adopted.

June 18, 2019

Mayor Adler placed on the table for **consideration authorization to pay Harper Haines Fluid Control for the emergency replacement of a control valve on Well No. 2A.**

Whereupon, Deputy Mayor Najman proposed the following Resolution and moved its adoption:

**RESOLUTION 06182019-06  
EMERGENCY REPLACEMENT OF A  
CLA-VAL CONTROL VALVE  
FOR  
WELL NO. 2A**

WHEREAS, Superintendent of Water, Brian Gunderson observed that Well No. 2A was not operating properly; and

WHEREAS, it was determined that the control valve that performs as a check and back pressure valve had to be replaced; and

WHEREAS, the Board of Trustees has reviewed the proposal and finds it acceptable; and

NOW, THEREFORE BE IT RESOLVED, that **the Board authorizes payment in the amount of \$10,461.77 to Harper Haines Fluid Control, 125 Old Gate Lane, Milford, CT 06460 for the emergency replacement of the control valve for Well #2A.**

The motion was seconded by Trustee Forman. On roll call:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 06182019-06 was duly adopted.

Mayor Adler placed on the table a **Resolution Authorizing a Partial Refund of Parkland Fees in relation to the Lerner-Hitzig Subdivision Application.**

Whereupon, Deputy Mayor Najman proposed the following Resolution and moved its adoption:

**RESOLUTION 06182019-07  
AUTHORIZING PARTIAL REFUND**

June 18, 2019



**OF PARKLAND FEES TO  
PLANNING BOARD APPLICANT  
SUZANNE LERNER-HITZIG**

WHEREAS, Section 145-12 of the Village Code authorizes the Planning Board to require a minimum of 3% of the entire holding of a subdivision to be dedicated for parks, playgrounds or other recreational uses; and

WHEREAS, pursuant to the Final Hearing Resolution, the Planning Board determined that a Parkland Fee of \$90,000.00 was appropriate in lieu of the dedication of a park facilities within the Premises (the "Parkland Fee");

WHEREAS, the Applicant paid the Parkland Fee, and Village deposited the fee into the Village Recreational Facility Trust Fund; and

WHEREAS, the Applicant is now seeking a partial refund of \$25,000 per reasons outlined in correspondence from Applicant's Attorney Andrea Tsoukalas Curto dated May 23, 2018, a copy of which is appended hereto and made a part of the minutes; and

WHEREAS, the Planning Board at its meeting on June 4, 2019 recommended approval of said refund;

WHEREAS, the Board has reviewed the recommendation and finds it acceptable,

NOW, THEREFORE, BE IT RESOLVED that the Board authorizes a refund payment of \$25,000 to the Applicant Suzanne Lerner-Hitzig.

The motion was seconded by Trustee Ullman. On roll call:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 06182019-07 was duly adopted.

Mayor Adler placed on the table for consideration **Authorization for Reimbursement to The Village Club for Expenses for the PWM OEM Emergency Operations Center.**

Whereupon, Trustee Forman proposed the following Resolution and moved its adoption:

**June 18, 2019**

**RESOLUTION 06182019-08  
AUTHORIZATION FOR REIMBURSEMENT  
TO THE VILLAGE CLUB OF SANDS POINT  
FROM THE VILLAGE OF SANDS POINT IN RELATION  
TO CAPITAL IMPROVEMENTS TO THE  
PORT WASHINGTON MANHASSET OEM  
EMERGENCY OPERATIONS CENTER**

WHEREAS, by Resolution 06162015-08 the Village is the Municipal Sponsor of the Port Washington Manhasset Office of Emergency Management ("PWM OEM") for banking purposes; and

WHEREAS, the Emergency Operations Center is in the basement of the Mansion at The Village Club of Sands Point; and

WHEREAS, recent capital improvements to the Emergency Operation Center were paid from Village Club funds; and

WHEREAS, PW OEM Commissioner Peter Forman is requesting reimbursement to the Club for those expenditures, a copy of which request is appended hereto and made a part of the minutes; and

WHEREAS, the Board has reviewed the request and authorizes reimbursement to The Village Club of Sands Point.

NOW, THEREFORE, BE IT RESOLVED that the Board authorizes Treasurer Kathleen Notaro to reimburse \$14,719.92 to The Village Club of Sands Point.

The motion was seconded by Trustee Ullman. On roll call:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 06182019-08 was duly adopted.

Mayor Adler placed on the table a **Resolution Authorizing Payment for the Rental and Installation of a Temporary Tent at the Tennis Facility at the Village Club of Sands Point.**

Whereupon, Trustee Forman proposed the following Resolution and moved its adoption:

**RESOLUTION 06182019-09  
AUTHORIZATION OF PAYMENT FOR  
RENTAL/INSTALLATION OF A TEMPORARY TENT  
A TO Z PARTY RENTALS, INC.  
FOR THE TENNIS FACILITY AT  
THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, a tent to cover the west portion on the tennis viewing facility near the barbecue is recommended for the period from Memorial Day through Labor Day; and

WHEREAS, the Club renewed its engagement with A to Z Party Rentals, Inc. from last year based on receiving a discount from last year's quote amount of \$8,189.13 and submitted a proposal in the amount of \$7,529.00; and

WHEREAS, the Club Operations Committee approves the proposal by A to Z Party Rentals; and

WHEREAS, the Board has reviewed the proposal and finds it acceptable; and

NOW, THEREFORE, BE IT RESOLVED that the rental of a temporary tent for the Tennis Facility from A to Z Party Rentals, 165 Price Parkway, Farmingdale, NY 11735, be and hereby is approved in accordance with their quote# 1-151738-08 in an amount not to exceed \$7,529.00.

The motion was seconded by Trustee Ullman. On roll call:

Mayor Edward A. K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 06182019-09 was duly adopted.

Mayor Adler placed on the table for consideration a **Resolution Authorizing Purchase of a replacement steamer at the Grille.**

Whereupon Trustee Forman proposed the following Resolution and moved its adoption:

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**RESOLUTION 06182019-10  
AUTHORIZATION FOR  
PURCHASE OF STEAMER FOR THE GRILLE  
THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, the current steamer can no longer be repaired; and

WHEREAS, as Club Manager Cancellaro is requesting authorization to purchase a Market Forge Model No. Sirius 11-4 Convection Steamer in an amount not to exceed \$7,500.00, details of which are appended hereto and made a part of the minutes; and

WHEREAS, the Club's Operating Committee recommends the purchase and

NOW, THEREFORE, BE IT RESOLVED, that the Board authorizes the purchase of a Convection Steamer in an amount not to exceed \$7,500.00.

The motion was seconded by Deputy Mayor Najman. On roll call:

Mayor Edward A. K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 06182019-10 was duly adopted.

Placed on the table for consideration was a **Resolution Authorizing Payment to Sisto DeNardis Contracting re Slope Stabilization Project at The Village Club of Sands Point**. The matter was **tabled pending further information**, on vote as follows:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Mayor Adler placed on the table for consideration for the Board to hold a **public hearing at its July 23, 2019 meeting to consider establishing an employee bonus program for non-union employees**.

On motion of Trustee Forman and seconded by Deputy Mayor Najman and carried unanimously the Board resolved to hold a Public Hearing at their Tuesday, July 23, 2019 meeting. On vote as follows:


Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye

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Deputy Mayor Lynn R. Najman voting - aye  
Trustee Peter A. Forman voting - aye

Mayor Adler announced that the next Board meeting & Annual Organizational Meeting will be held on Tuesday, July 23, 2019 at 8:00 p.m.

There being no further business to come before the Board, on motion of Trustee Ullman, seconded by Deputy Mayor Najman and carried unanimously, the meeting was adjourned at 10:00 p.m.

  
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Liz Gaynor, Village Clerk